

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MATTHEW STEIN and JEROME LHOTE,  
  
Plaintiffs,  
  
v.  
  
SKATTEFORVALTNINGEN,  
  
Defendant.

23 Civ. 2508 (NRB)

SKATTEFORVALTNINGEN,  
  
Counterclaim Plaintiff,  
  
v.  
  
MATTHEW STEIN, JEROME LHOTE, and  
LUKE MCGEE  
  
Counterclaim Defendants.

**DECLARATION OF DANIEL W. LEVY**

DANIEL W. LEVY, pursuant to Title 28, United States Code, Section 1746, declares under the penalty of perjury:

1. I am an attorney licensed to practice law in the State of New York and admitted to practice in this Court. I am a principal with the law firm of McKool Smith P.C., counsel to Plaintiffs-Counterclaim Defendants Matthew Stein and Jerome Lhote.

2. I make this Declaration in support of the motion to dismiss the amended counterclaims alleged by Defendant-Counterclaimant Skatteforvaltningen (ECF No. 48)

3. Attached as **Exhibit A** is a true and correct copy of the Settlement Agreement, dated May 28, 2019, and the Exhibits 1 through 5 to it.

4. Attached as **Exhibit B** is a true and correct copy of the Letter Agreement, dated May 28, 2019.

5. Attached as **Exhibit C** is a true and correct copy of an Affidavit of Confession of Judgment executed by Stein, Lhote, and Counterclaim Defendant Luke McGee (“McGee”) on May 28, 2019.

6. Attached as **Exhibit D** is a true and correct copy of an Affidavit of Confession of Judgment executed by Lhote on June 9, 2021, and by Stein and McGee on June 10, 2021.

7. Attached as **Exhibit E** is a true and correct copy of the following documents filed in connection with *Darwiche, et al. v. Cedar Capital Mgmt. Grp, Inc., et. al.*, 17 Civ. 9154 (LTS) (S.D.N.Y.): the Second Amended Complaint, dated January 11, 2018, including Exhibits A through D thereto; Motion and Affidavit, dated January 24, 2018, including Exhibit 1, thereto; Order, dated February 27, 2018; and Judgment, dated February 28, 2018.

8. Unredacted versions of Exhibits A through D are filed under seal.

9. Redacted versions of Exhibits A through D are publicly available as ECF No. 47, pursuant to the Court’s Order, dated May 25, 2023 (ECF No. 46).

I declare under penalty of perjury that the foregoing is true and correct. Executed on July 13, 2023.

/s/

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Daniel W. Levy